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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,062	02/18/2000	John Peter Veschi		8896

7590

07/17/2002

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 07/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/507,062

Applicant(s)

VESCHI, JOHN PETER

Examiner

Jonathan Ouellette

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because Fig. 860 should not include the line, "DAD: That is wrong. A branch broke off in another storm," as it is redundant and confuses the example. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 9 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 9 recites the limitation "the larger set of questions" in a method as recited in claim 8. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 11 recites the limitation "the advertising" in a method as recited in claim 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
7. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
8. Claims 1, 3-4, and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Burchetta et al. (US 6,330,551 B1).
9. As per independent claims 1 and 12, Burchetta discloses a method (computer-based system) of resolving a dispute, comprising: at least one plurality of parties to the dispute providing, via on-line connection, an input relating to the dispute; and information related to resolution of the dispute being provided, via the on-line connection, to at least one of the parties (Abstract, C1 L39-49, C2 L41-43, C2 L55-67, C19 L29-54).
10. As per claims 3 and 13, Burchetta discloses providing at least a portion of the input from the at least one party in a publicly accessible on-line form (Abstract, C1 L39-49, C2 L41-43, C2 L55-67, C19 L29-54).

11. As per claim 4, Burchetta discloses providing at least a portion of the input in a publicly accessible on-line form and allowing at least some people who access the on-line form to interact therewith (Abstract, C1 L39-49, C2 L41-43, C2 L55-67, C19 L29-54).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
13. Claims 2, 11, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burchetta et al. (US 6,330,551 B1) in view of Angles et al. (US 5,933,811).
14. As per claim 2, Burchetta fails to disclose at least one of the parties providing payment information for use in obtaining a fee associated with the service of providing the resolution related information.
15. Angles teaches at least one of the parties providing payment information for use in obtaining a fee associated with the service of providing the resolution related information (C4 L33-36, C9 L41-44, C24 L14-18).
16. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein at least one of the parties providing payment information for use in obtaining a fee associated with the service of

- providing the resolution related information as disclosed by Angles in the system disclosed by Burchetta, for the advantage of providing a service of interactively settling disputes with the ability to charge a fee for such service.
17. As per claims 11 and 20 as understood by the examiner, Burchetta and Angles discloses wherein the publicly accessible on-line form includes an advertising field and wherein the advertising is related to the dispute (Abstract, C2 L45-54, C2 L59-67, C3 L1-5, C24 L55-57).
18. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burchetta et al. (US 6,330,551 B1) in view of West et al. (US 6,175,833 B1).
19. As per claims 5 and 14, Burchetta fails to disclose wherein the step of allowing interaction includes at least one of: allowing a vote on which party should prevail in the dispute; and allowing a question of a party in the dispute.
20. West teaches wherein the step of allowing interaction includes at least one of: allowing a vote on which party should prevail in the dispute; and allowing a question of a party in the dispute (Abstract, C10 L9-34).
21. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein the step of allowing interaction includes at least one of: allowing a vote on which party should prevail in the dispute; and allowing a question of a party in the dispute as disclosed by West in the system disclosed by Burchetta, for the advantage of providing a method of interactively settling disputes with the ability to have ideas and opinions from outside observers integrated into the dispute settling process.

22. Claims 6-10 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burchetta et al. (US 6,330,551 B1) in view of Siefert (US 5,904,485).
23. As per claims 8 and 17, Burchetta fails to disclose assessing the person's knowledge by providing the person a set of one or more questions and evaluating the person's responses to the questions.
24. Siefert teaches assessing the person's knowledge by providing the person a set of one or more questions and evaluating the person's responses to the questions (Abstract, C7 L18-25, C9 L58-60, C15 L51-67, C16 L1-19, C19 L32-35, C20 L1-15, Fig.2-3).
25. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included assessing the person's knowledge by providing the person a set of one or more questions and evaluating the person's responses to the questions as disclosed by Siefert in the system disclosed by Burchetta, for the advantage of providing a method of interactively settling disputes with the help of people who have knowledge to settle the dispute.
26. As per claims 6 and 15, Both Burchetta and Siefert fail to disclose determining which people that access the on-line form are permitted to interact therewith based on an assessment of the person's knowledge of the *law*.
27. However, Siefert does teach the assessing of a persons knowledge through a series of questions (Abstract, C7 L18-25, C9 L58-60, C15 L51-67, C16 L1-19, C19 L32-35, C20 L1-15, Fig.2-3); therefore, it would be obvious to one with ordinary skill in the art to write the questions so that they pertain to knowledge of the law; thus, assessing a person's knowledge of the law.

28. As per claims 7 and 16, Burchetta and Siefert discloses determining which people that access the on-line form are permitted to interact therewith based on an assessment of the person's knowledge of the facts (Abstract, C7 L18-25, C9 L58-60, C15 L51-67, C16 L1-19, C19 L32-35, C20 L1-15, Fig.2-3).
29. As per claims 9 and 18 as understood by the examiner, Burchetta and Siefert discloses wherein the person is provided another set of questions from a larger set of questions if the person does not answer a predetermined number of the questions correctly (Abstract, C7 L18-25, C9 L58-60, C15 L51-67, C16 L1-19, C19 L32-35, C20 L1-15, Fig.2-3).
30. As per claims 10 and 19, Burchetta and Siefert disclose providing educational information to the person prior to providing another set of questions (Abstract, C7 L18-25, C9 L58-60, C15 L51-67, C16 L1-19, C19 L32-35, C20 L1-15, Fig.2-3).

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
32. The following patents are cited to further show the state of the art with respect to dispute resolution in general:

U.S. Pat. No. 5,495,412 to Thiessen

U.S. Pat. No. 5,895,450 to Sloo

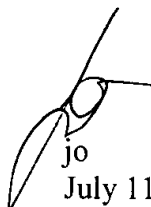
U.S. Pat. No. 6,112,189 to Rickard et al.

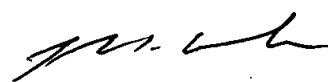
U.S. Pat. No. 6,131,085 to Rossides

U.S. Pat. No. 6,247,047 B1 to Wolff

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33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached between Monday and Thursday, 8am - 5:00pm.
34. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-3597 for After Final communications.
35. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.


jo
July 11, 2002


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